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Sent: Tuesday, October 18, 2005 3:56 PM  
To: ATR-Real Estate Workshop  
Cc: nick@screaltors.org; mdey@screaltors.org; byron@screaltors.org  
Subject: Real Estate Workshop on Anticompetitiveness - FTC & Justice Dept.

I have been a REALTOR Association Executive for the past 26 years. Fifteen years as the CEO of the REALTOR Association of Greater Ft. Lauderdale with over 10,000 members and nearly 12 years as CEO of the South Carolina Association of REALTORS with 17,000 members. During my years with the REALTOR Association of Greater Ft. Lauderdale we had a "Complaints Division" and I personally answered thousands of calls from consumers on matters of concern about real estate transactions and our various members. Never once did I hear that the real estate industry was anti-competitive. Now as the state association executive responsible for 22 local associations and 17,000 REALTORS my connection with the media and consumers has expanded greatly. I receive daily calls from the media concerning housing trends and issues that are vital to homeowners and potential homeowners. Again, I have never heard the word anti-competitive used in any of my conversations. Contrary to what many are trying to portray, the real estate industry is among the most competitive of all industries and I consistently hear complaints from our members that it is too competitive. The real estate industry is a model of competition that works. In an economy in which large, national corporations -- such as Wal-Mart and Microsoft -- dominate the marketplace, real estate stands apart. We are an industry made up predominantly of small businesses and independent contractors who represent the entrepreneurial spirit this country was founded on. All of us serve localized markets where we compete for business every day. Fierce competition is fueled largely by the uniquely intense and personalized nature of the service we provide to our clients -- which, in turn, determines our future success through referrals and return business. Barriers to entry are low. If you are willing to take the time to learn the business in your local market, pass the state license examination and adhere to the REALTOR code of ethics, there is nothing to stand in the way of success in this industry. I had to learn the business and pass the state licensing examination, but it is my own work ethic, commitment to professional standards and dedication to client satisfaction that determine my success. Even through the economic downturns our country has experienced in the past few years, our industry has continued to provide opportunity -- something I would say is confirmed by the thousands of new agents that join our profession every year and the over 2 million Americans who are now licensed to provide professional real estate services in communities across the country. Nothing encourages a competitive business environment more than providing consumers with choice. In the residential real estate marketplace, consumers not only are able to choose from more than 76,000 brokerage firms and more than 1.2 million REALTORS, but also from a variety of business models. The MLS is a cooperative, broker-to-broker offer of cooperation and compensation that help both brokers and customers buy and sell homes. It is not a public utility, nor should it be. The beauty of the MLS is that it allows real estate brokerages of every size to compete on a level playing field. It gives all of us access to an inventory of property listings that we are able to show and sell to our clients. The MLS doesn't discriminate. All MLS members are treated equally, regardless of their size or their business model, and yet the rights of property owners and their listing brokers are respected. The rules of the MLS achieve a delicate balance between respecting the rights of listing brokers so they will continue to be willing to contribute their inventory of listings and permitting

cooperating brokers the ability to show those listings and be assured of receiving compensation if they bring about a successful sale. I strongly support the proposed new Internet Listing Display Policy of the NAR.

Jim

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